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ABSTRACT

The historical development of public and private universities and colleges in the United States is examined. It is pointed out that nearly all American universities, no matter where their support comes from, remain autonomous institutions. The university often interprets, and sometimes invents, what it thinks is the interest of the state. Despite the split between public and private institutions, financial support for higher education continues to be based in both sectors on the training of leaders and good citizens rather than any inherent state or private interest in learning or the accoutrements of academic knowledge such as libraries and museums. One of the most striking elements of continuity has been the accidental, rather than the statutory or ideological, nature of the changes. For example, when the states cut off their support of universities and colleges in the 1820's, no laws or statutes were passed to confirm or entrench this; the appropriations merely ceased. When the funds were renewed 50 years later the old autonomous institutions were not made to conform to any new theories of education. (SPG)

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THE ORIGINS OF THE PUBLIC-PRIVATE DISTINCTION IN AMERICAN HIGHER EDUCATION: A STORY OF ACCIDENTAL DEVELOPMENT

by

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Author's Note:

In this revised version the format of an address to a European audience, or any group unfamiliar with the structure of American higher education, has been retained. It is hoped that this format will also point out to American readers certain unique or peculiar features of this structure which are often taken for granted.

A European unfamiliar with the structure of American higher education would quickly learn after only a cursory investigation that some American institutions such as Harvard, Yale, or Columbia, call themselves "private" universities while others such as the University of California, the University of Michigan, or the University of Wisconsin claim to be "public" or "state" universities. Institutions from both groups clearly rank among the most distinguished in the world in terms of the quality of their faculties, research, laboratories and libraries. The only difference between the two, it might seem, is that the private universities support their activities from funds derived from endowments and substantial student fees (tuition) while the state universities finance their programs primarily through grants from legislatures with only minimal fees from students.

On the surface this might appear to be a mere technicality--a minor point to be noted along with the universities' colors or the records of their athletic teams. A closer look, however, would soon reveal that being "private" or "public" is not just a technicality but an article of faith, even a doctrine, which in many instances is stronger than the ideology of any American political party.

Advocates of the private sector would say that theirs are the true universities. Secure from any dependence on or interference from the state, these institutions are supposedly at liberty to think freely, to experiment, and to innovate. As Kingman Brewster, Jr., former president of Yale University, said in an appeal for enlarged endowment funds, "The strongest private institutions, relatively free from government interference, have a special responsibility to keep alive this spirit of unfettered learning."[1]

Supporters of state or public institutions might admit that isolated incidents of state interference have occurred at their universities, but they would probably point to the interference of businessmen at private universities. While giving all due respect to their private brothers, they might well state that the touted freedom of the private universities is a freedom without social responsibility. The private universities, they might claim, are divorced from the needs and concerns of the states and their people; they are free to think, but they are limited in the things they think about. In a word, the private universities are undemocratic.

A professor of American literature at the University of California once described this "state" feeling to the author in a roundabout way. The professor had taken a degree from a private university, but had chosen to spend his teaching career at a number of state universities--despite the political interference of governors from time to time at these institutions. When I questioned him about this preference for state universities, he responded, "I suppose I never felt that it would be right to teach and spend my life at a private university. It seemed to me somehow that democracy and democratic education were out here in the prairies and valleys--in the state universities."

Not every American professor or administrator feels the need to support one or the other type of institution; many move freely between public and private institutions. But even those who have no such personal commitment would acknowledge that the connection, or lack thereof, between universities and the state has been and still is a subject of great importance in American higher education. This external concern is almost as important to

some people connected with these institutions as the scholarship which is conducted whithin their walls. For it is this state connection, or again the lack of it, which many Americans believe underlies the legitimacy of the university and its activities.

Such a concern, even a debate, over the relationship between the university and the state exists in other countries, but the United States is particularly notable in having not only a diversity of opinion on the subject but also a diversity of institutions representing the differing views. This diversity, however, has not always existed. The private universities have not always been so antagonistic to government nor the public universities so wedded to the state. The distinction between "public" and "private" has emerged from a changing history of university-state relations. This changing pattern has been more accidental than planned, and a set of bizarre battles and alliances have been a part of it.

To understand this history, it is best to begin by defining a few terms and noting several facts about American universities which may not be the same in other countries.

First, let us look at "the state." Some might think that "the state" refers to the national government because it has the most money and the most power. But this is not "the state" which has been of most concern to our universities. In the United States, higher education has been, and to a large extent still is, an affair of the individual states which comprise the federal union. Even though the federal government has aided universities from the earliest days of the republic, it has for the most part acted through the states (i.e. it has given funds to the states which then distribute the money to the universities). Only in recent decades has the federal

government dealt directly with the universities. And even in this new relationship, no national ministry of education, not even a weak one, has been created to co-ordinate or standardize higher education. Federal funds to universities come from a bevy of national departments (ministries) ranging from agriculture to defense, with no particular inter-departmental co-ordination. The Department of Health, Education and Welfare, with its sub-unit the Office of Education, is only one of many federal departments which supports higher education. In recent years this department has attempted to co-ordinate higher education by enforcing nationwide requirements for the employment of women and minority group members in university faculties and, to a lesser degree, for the admission of students. Still, it is significant that this attempt at national planning has been social rather than educational. No effort has been made to co-ordinate curricula, degree standards, or the financial compensation received by faculties.

Thus when one speaks of the relationship between universities and the state, one is really talking about a kaleidoscope of relationships between universities and many different states, and in recent times between many different branches of the federal government. This fragmentation has been a major factor contributing to the haphazard or accidental development of American higher education.

Within each of these different relationships, however, there are some common elements. Most American universities, whether private or public, exist as chartered corporations. The private universities were creations of a state in that a state legislature issued a charter creating a board of trustees to administer the institution. The state universities were also

created in this fashion through charters organizing boards of trustees or regents to conduct the universities' affairs. No American state university is under the authority of a minister of education at the state level who is the head of a department of education. As a result, professors, even in state universities, are not thought of as civil servants.

The final authority in the operation of the American university rests with these boards of trustees or regents. And unlike university governors in other countries, these American trustees, whether in state or private universities, are non-resident private citizens; they are not members of the faculties of the institutions. Of course, the day to day running of the university is delegated to the faculty and the so-called administration. But this is a delegated power and the non-resident laymen still make many important decisions. For example, the president of every American university is selected by the trustees. This stands in sharp contrast to the practice at many English and European universities where the vice-chancellor or rector is elected by the resident faculty or some segment of it. In no American university does the faculty have this degree of self-governing autonomy.

Finally, it should be noted that even the most distinguished universities educate undergraduates for the bachelor degree in a humanistic, general liberal arts education rather than in a specialized or pre-professional training program. The liberal arts put heavy emphasis on moral values which ultimately imply political values. American educators are not always aware of this latter implication, and they occasionally confuse what are nationally based, even at times partisan, values with the pursuit of truth. Speaking of the values derived from a liberal arts education, Yale's former president,

Kingman Brewster, Jr. said in 1974, "We must reaffirm our conviction that, if left to explore history in the light of reason, our sons and daughters will conclude, as their forebears have, that the fallibility of governors requires the restraint of government. They must discover for themselves that freedom stands a better chance if political and economic power are kept separate, and that individuality and variety are best fostered by a wide dispersion of centers of initiative."[2]

Despite the generality of these terms, it is clear that Mr. Brewster would have American youth discover the values of a political and economic system remarkably similar to the one which has developed in the United States over the last two hundred years, --and in contrast to what Americans would label as "European" socialism or centralization. The American experience is not synonomous with the "light of reason." Still, many American educators have difficulty in separating the two.

With these facts in mind let us look back to the last decades of the 18th century and see what connections existed between universities and states and what attitudes educators and statesmen held toward those connections.[3]

In the early 1780's, just as the Revolution was ending, none of today's state universities had been established. But those universities such as Harvard, Yale and Columbia, which today call themselves "the ancient, private universities" were there; Harvard was more than 100 years old. However, they were hardly "private." They were allied with their state governments (Connecticut, Massachusetts and New York) in terms of financial support and supervisory control. And they were proud of the alliances!

The nature of the alliances varied from state to state. At Harvard and Columbia a substantial number of state officials held supervisory power over

the institutions as ex-officio members of their boards of trustees. At Yale no state official was a member of the board of trustees, called the Corporation, but the legislature exerted control over the college through the college charter, which stated, "the laws, rules and ordinances established by the president and fellows shall be laid before this assembly as often as required and may also be repealed or disallowed by this Assembly when they shall think proper."

In terms of financial support the relationships also varied. While no college ever received all of its funds from a legislature, the proportion of public aid in relation to student fees and private philanthropy differed from institution to institution. Yale, for example, received an annual subsidy from the legislature. Harvard, on the other hand, often received state aid specifically to build a building, pay a certain salary, usually that of the president, or to pay the annual operating deficit.

Despite the diversity among these alliances, two commonly held beliefs underlay and to some extent allowed the variations. It was assumed by most people that the states should take an interest in and feel some responsibility for the life of institutions which admittedly trained civil leaders. Also, it was thought that by training these leaders the colleges obviously expressed concern for the welfare of the state. To some extent the college was trying to protect the state by providing well-educated leaders, and the state was trying to protect itself from the kind of leaders the college might produce. College and state were implicated with each other. So entwined were the two that public financial support was often thought to be a duty of the legislature, not a charitable gift.

To illustrate this sense of a necessary or organic link which the colleges and states felt toward each other, let me describe the thought of Ezra Stiles,

president of Yale from 1778 to 1792.

Stiles was concerned in the late 18th century with expanding Yale's teaching staff and was quite conscious of the need for an alliance with the state to do this. "Much of all universities," he noted, "consist of endowments by individual persons and public communities or States or Princes." He wanted to secure several new endowments for Yale and turned naturally to the state,noting,"It is rather to be desired in order to cement a Seat of Learning with the public that some of the principle foundations should be instituted by the state, tho' not to the exclusion of personal foundations."

Stiles thought that a professorship of law should be the first object of state aid. The professor's goal would not be the specialist training of barristers, but the education of wise civilians and leaders.

According to Stiles:

> Fewer than half of the young gentlemen educated at College enter into either the learned professions of Divinity, Law or Physic. By far the greater part of them after finishing their academic course return home, mix in with the body of the public, and enter upon commerce or the cultivation of their estates. And yet perhaps the most of them, in the course of their lives are called forth by their country into some one or other of the various branches of civil improvement in the public offices of the state.

The professor of law would try to train a succession of wise men for the councils of the state. This committed Stiles' university to nothing less than the political welfare of the state. The president readily accepted this duty, musing "How happy a community abounding with men well instructed in the knowledge of their rights and liberties."

Stiles' thought was, I believe, representative of that of many 18th century educators. From this it is certainly clear that educators did not view the state as some evil body to be avoided in the cause of learning.

Reflecting the American republican theory of the time, the colleges viewed a healthy society as one composed of a separation of powers and a system of checks and balances with different institutions acting as watchdogs for other parts of society. This clearly was Stiles' view of the role of a college vis á vis the state.

But what did the states think of the colleges? A system of balances works both ways.

Fortunately the states were favorably disposed to the colleges within their midst after the Revolution. All of the colleges had produced their share of patriots, and no college seemed tainted with Toryism or anti-republican views. In America there were no attempts by states to close or destroy colleges. On the contrary, the states were actually very liberal in giving what money they had to the colleges. During the period from 1780 to 1820 Yale received almost $70,000 from Connecticut and Harvard over $100,000 from Massachusetts. Though Columbia garnered only $30,000 in cash from New York, the state awarded the college a plot of land in 1814 known as the Botanical Garden. Later in the 19th century this seemingly worthless country land became valuable residential real estate; today it is the site of one of America's most prestigious blocks of office buildings, Rockefeller Center in the city of New York. The rents from this property still go to the college.

State leaders clearly believed that the checking and balancing went both ways and frequently became critical of the composition of the colleges' boards of trustees. By charter many of the colleges were governed by self-perpetuating boards of men. In theory the states were not opposed to self-perpetuation. After all, they had granted the charters. But in practice

it turned out that most college trustees tended to appoint successors with views similar to their own. In time these boards appeared to be unrepresentative of the various elements present in society at large; they came to be dominated by members of one religious denomination or of one political party. In short the colleges came to be partisan and identified with certain sides in religious and political arguments. Yale was dominated by Congregationalists--not just men, but ministers--and Federalists; Harvard by Federalists and Unitarians; and a little college in New Hampshire, Dartmouth, was controlled by Federalists and Congregationalists.

Many states were passing laws for religious toleration and the disestablishment of churches in the period between 1790 and 1820. It seemed unnatural to legislators for the colleges to be so unrepresentative of society at this time--or to put it another way so representative of factions in that society. Many thought this was a particularly bad condition for institutions which were preparing leaders.

In state after state the assemblies passed laws altering the boards of trustees in order to add new men. If the colleges thought they were protecting the state by producing well-educated leaders, the states assumed that they should ensure a balanced or representative governing body for the colleges.

Again the efforts of "the state" varied from state to state. After years of negotiation with the Connecticut Assembly, Ezra Stiles accepted eight state officials on the Yale Corporation in 1792 to balance the ten ministers. At Harvard the Board of Overseers was changed a number of times between 1780 and 1815. At one point the entire senate of Massachusetts sat with that body. In New Hampshire the governor attempted to amend the

Dartmouth charter in 1816 in order to add six new men to the board. Governor Wm. Plumer proclaimed that this change would increase the security of the college and would interest more men in its prosperity.

A famous case in the United States Supreme Court resulted from this attempt to alter Dartmouth's charter. As part of the courtroom drama in the Dartmouth College Case, Daniel Webster, the lawyer for the college, tried to portray the state's action as an attempt by a cruel encroaching legislature to stamp out a seminary of learning. Webster's oratory succeeded, and the state was enjoined by the federal government from changing the charter. Most latter day historians have interpreted this as a heroic stand by a private college against a state which it naturally feared. However, at the time the trustees never stated that they feared the state nor in theory did they disapprove of an expansion of the board. They were angered because the state had not first asked their permission in making the change. Immediately upon winning the case, the Dartmouth trustees renewed negotiations with the state and tried to find some way to alter the board of trustees in exchange for increased financial support. This would hardly be the reaction of natural enemies. It would, however, be the normal conduct for two parties in a society who viewed it as their joint duty to check and balance each other.

It should be noted that in no instance in this checking and balancing game did a state try to rout the self-perpetuating trustees and replace them with men of different political or religious views. Nor was there even an attempt to rid a board of one particular trustee; there were no purges. In each case the state sought to add new men by increasing the total number of trustees. The state was not trying to alter any college as much as it

was trying to protect the colleges against their own internal tendencies toward lethargy and inflexibility.

Rather than abnormal political raids or purges, the activities of the states in changing the boards of trustees were only the natural duties of governments which accepted their public responsibilities. The colleges, for the most part, acknowledged this though they were sometimes offended at being told they had not kept their own houses in order.

In the last two decades of the 18th century and the first two decades of the 19th century, in what might be called the republican era of American history, universities and states were mutually dependent on each other; by necessity and plan they were allied in different ways. The colleges looked after the welfare of the state and the state reciprocated. The colleges did not want to be independent; the state might then pay no attention to men trained in the colleges and look elsewhere for leaders. And there was a chance, admitted from time to time by college trustees, that the colleges might drift into sectarian lethargy without the protective visitation of the state. This mutual dependence was not thought of as some embryonic stage of development to be outgrown but as the natural, even necessary, condition of a healthy society. Soon this sense of a necessary connection between college and state would change as Americans adopted new ideas of the kind of society they wanted.

In this so-called "republican" phase of American history (c. 1780-1820) American political minds were concerned with constructing and governing a large republic in a world which had previously been organized into monarchies or very small republics such as Switzerland. Though the Americans staged a revolution to create such a new republic, they thought

that government should still be in the hands of only a small group of citizens. If all were not willing to go as far as some conservatives in saying that government should be in the hands of the rich, the well-born, and the able, most would have agreed that government should be the province of the wise, the experienced, and the well-educated. College trained men would obviously fall into this group. In republican theory there was an assumption that colleges were the natural reservoirs of political talent. It was such an assumption that led Ezra Stiles to predict that "most" Yale graduates would enter public life.

But after 1820 American society entered what appeared to be a "democratic" phase. In state after state suffrage was extended to all white males with no property qualifications attached. More public offices became elected rather than appointed. Socially, all men were supposedly equal. In this democratizing process Americans gradually became unsure as to who their rulers should be. Many became enamored of what was called the cult of the self-made man. Such people believed that the experience and wisdom needed to lead or rule should be gained in "life" or in the "school of hard knocks" rather than in a college. Ishmael, a character in Herman Melville's Moby Dick, proudly asserted, "A whaling ship was my Yale College and my Harvard." And when an elderly matron asked a governor of Massachusetts in the 1850's where he had attended college, he replied, "At a hatter's shop, madam." Many advocates of the self-made man theory pointed to Benjamin Franklin as the beau ideal of the wise leader who had gained his experience in shops and in life.

After 1820 colleges ceased to be viewed by states as the natural reservoirs of political talent. Colleges were not despised by the state, and

college men were not kept out of politics. They simply were no longer looked to for leadership. Americans were no longer certain who should rule them; they were adrift when it came to setting standards. This change in attitude soon affected college-state relations.

The states concluded that colleges were probably good things in themselves, but that these institutions of the elite should gain support through fees charged to students or through private philanthropy and charity. That would be, some thought, the democratic approach; the many should not be taxed for the education of the few. For the most part state governments which had granted financial support to colleges ceased doing so. The last grants to Yale, Harvard, and Columbia came between 1820 and 1830. State support lingered in some of the southern states, notably South Carolina, where an aristocratic view of leadership survived the onslaught of democracy.

The withdrawal of state support, however, was not attended with a withdrawal of interest on the part of the colleges for the states. Yale, Harvard, and Columbia continued to argue for state funds despite this new laissez-faire theory of higher education. The colleges claimed that public support, not fees or philanthropy, was the only truly democratic way to support higher education. They even asserted they were trying to protect the state by advocating support. Edward Everett, a noted Massachusetts politician and Harvard graduate, announced in 1820 that it was the duty of the state, not of private individuals, to support colleges. "Does it become a mighty nation," he claimed, "rising fast into an importance, destined to throw a shade over the decaying greatness of Europe...to depend on charity for the education of our sons and the upholding of our national character."

In 1848, Samuel Eliot, the treasurer of Harvard college continued this

appeal noting, "The best and most truly democratic mode in which the universal cultivation of all the faculties of the inhabitants of the State could be secured would be for the government itself to provide, at the common expense, all those schools, colleges and seminaries of every description which are necessary, in order best to provide for the physical, intellectual, and moral wants that are felt throughout the community."

He warned that the state might actually find itself in peril if it failed to support colleges or even allowed wealthy individuals to do so. "There would be no gratitude," he explained, "to the state for that which was accomplished without her aid; and she would be justly regarded as a parent who instead of providing as she was well able to do for all her children, placed the least fortunate in a state of dependence upon the other, and thus fomented, as far as she could, mutual jealousy, instead of mutual respect."

In short, Eliot wanted the state to abolish charity on the grounds that those who receive charity resent those who give it. In turn they would also resent the state for forcing them to accept charity. This would be particularly true in a democratic state where many college graduates had begun life as poor but bright and ambitious boys.

It is interesting to note that despite their democratic reasoning for state support, educators believed that the state should never pay for all of a student's needs. Higher education should not be made free by the state; that would undermine virtue. A young man, no matter how poor, should make some nominal contribution toward the cost of his education. Otherwise he would view it as something for nothing and possibly resent the people or the state which had supported him. Such an idea still exists in the United

States and affects the distribution of state aid and scholarships to this day.

The reasoning provided by the educators failed to convince legislators. Some statesmen claimed that it was better to support common or elementary schools; they thought this was a more democratic need. But even when funds were available to support both, they could not bring themselves to grant funds to the colleges. Legislators rarely showed hostility to colleges or ɔerated the well-educated; they were simply unconvinced that colleges were an integral part of a healthy political state. Colleges were possibly jewels on the body politic, but not the bedrock.

This democratic uncertainty over the value and necessity of higher education between 1820 and 1860 was more or less nationwide--again the exception being the aristocratic southern states. Yet strangely enough, during this same forty year period many of the famous state universities were founded--the Indiana University, 1820, the University of Michigan, 1837, the University of Missouri, 1839, and the University of Wisconsin, 1848.One might well wonder why and how state universities were founded at such a time if the states were not interested in higher education. The story is somewhat bizarre.

Many states, indeed, founded their universities during the democratic phase, but this was not done out of any devotion to higher education. Lingering legislation by the federal government from the republican phase of American history forced the states to act.

After the Revolution the government of the United States won from Britain a vast tract of land bordering the Mississippi River called the North West. Virginia first claimed this land, but ceded it to the national

government as the public domain. It might have existed as a quasi-colonial dependency of the United States. Americans, however, had little use for colonies; such entities had no place in republican thinking. The nation's leaders therefore devised a plan, called the North West Ordinance (1787), whereby the federal territory would be divided into districts which would later be admitted as states co-equal with the others when they reached a certain minimum population. In the 1780's statesmen considered a university a necessity for a state. In order to ensure equality between the new and the old states the first men who settled the North West induced the federal government to set aside a certain tract of land in each district to be sold once the state entered the union and used for the support of a university. Later, this principle was applied to new states which had not been a part of the North West.

As the states of Ohio, Indiana, Michigan and Wisconsin--all carved from the North West--entered the union, they found that they were bound by federal legislation, almost fifty years old in some cases, to establish a university if they sold the university lands; only Illinois in the North West failed to establish such an institution before the Civil War. This was clearly a republican legacy to a democratic age.

Even with this legacy some of the states were not interested in establishing a university. In the 1830's legislators in Missouri petitioned Congress to be released from the obligation of establishing a university. Congress failed to reply, and the legislators dutifully fulfilled the contract. In Michigan some legislators asked if the money could be used for elementary schools, but the federal obligation strictly called for a university. One of Michigan's leading historians claimed, "If the fund could have

been legally transferred to other purposes and quite lost to the noble end for which it had been given, many would have seen this without a sigh, not a few with great satisfaction, none with disappointment, few with regret."

In both Michigan and Missouri a university arose only because the legislatures were bound by a federal trust. If they sold the federal lands, and they were under popular pressure to do so, they were required to apply the proceeds to a university.

The federal legislation, however, caused no change of heart in the minds of the statesmen. Having founded the universities, the democratic legislatures of the Middle West accepted no responsibility for supporting them. In fact, the state of Wisconsin charged the university an agent's fee for selling the university lands. It did, however, consent to lend the university money at interest!

It was not until 1867 that Wisconsin, Michigan, Missouri or Indiana made a public appropriation to their universities. And the first funds rarely came as a result of any state desire to support higher education. In Wisconsin the university trustees secured state funds because they proved that the state had maladministered the university lands under its protection; it had sold them for too low a price thus depriving the university of its rightful income. The first state appropriation to the University of Wisconsin was not really an appropriation but an indemnity.

In 1860 a person might have predicted a gloomy future for American higher education. The new "state" universities had developed almost in spite of the state, and the older eastern colleges were not sure where support would come from. But just about that time a new development occurred at our eastern institutions which altered the character of these

older universities and changed the direction of American higher education--this time, away from the state.

In the late 1850's and early 1860's the alumni or graduates of these institutions began to take an interest both in supporting and in governing their old colleges. Unlike the graduates of the ancient English universities who received some privileges and voting rights in the conduct of the university, American graduates had been more or less forgotten by their colleges after graduation. The boards of trustees showed virtually no interest in the opinions of the college graduates as a group. Though some boards contained alumni members, others did not. And even when alumni did sit on the self-perpetuating boards, many graduates were still unsatisfied. They wanted not just seats on the boards of trustees but the right to elect their own members. They wanted to change the nature of the boards from self-perpetuating to elected bodies.

The alumni seemed concerned that the trustees of the colleges did not represent progressive thought, that they kept the colleges under too rigid religious and sectarian principles. In short, the alumni claimed that the college trustees did not represent the full spectrum of thought in society. In many ways the graduates were showing the same kind of interest in the colleges that state governors and legislatures had shown in the republican phase of American history.

The states were sympathetic with the alumni; they were glad that someone was interested in the colleges. Starting in 1865 at Harvard and then in 1871 at Yale, state officials surrendered their ex-officio seats on the boards of trustees to the alumni; the alumni would fill the vacated positions by electing members from their various alumni associations. In this change

there seemed to be no desire to purge the old state members just as the states had shown little desire to purge the college boards in the early nineteenth century. This transfer of power after the Civil War carried the good will of both college and state. The process of alumni election began at Harvard and spread to other eastern colleges over the next quarter century. Today the union of elected alumni and self-perpetuating trustees still characterizes the governing bodies of many American colleges.

After the state officials left the governing bodies of the colleges, a strange thing happened. Some educators, notably President Charles Eliot of Harvard, decided that the old alliance with government had not been a happy and healthy part of the past and proclaimed that any government support or control of education was in itself bad, undemocratic, unAmerican and unrepublican. Speaking in 1873, only 8 years after Harvard removed the Massachusetts Senate from the Board of Overseers, Eliot announced, "Now the habit of being helped by the government, even if it be to things good in themselves--to churches, universities, and railroads--is a most insidious and irresistible enemy of republicanism.... With the continental nations of Europe, it is an axiom that the government is to do everything, and is responsible for everything. This abject dependence on the government is an accursed inheritance from the days of the divine right of kings."

Evidently Eliot had forgotten that his own father, Samuel Eliot, had advocated state support for Harvard for decades. Nonetheless, the president claimed, "Let us cling to the American method--the old Massachusetts method of permanent endowments administered by incorporated boards of trustees. This is the American voluntary system in sharp contrast with the military despotic organization of public instruction which prevails in Prussia and

most other states of continental Europe. Both systems have peculiar advantages. The crowning advantage of the American method being that it breeds freemen."

Why was Eliot so against government? It is difficult to say. Many men of Eliot's stripe were critical of the federal government's ineptness in administering the Civil War. For example, the Army Medical Service had completely broken down and medical care for soldiers had been taken over by a private, voluntary organization called the United States Sanitary Commission. After the war, corruption and patronage rather than competence seemed to characterize government. Eliot noted that many government activities, such as the post office, had fallen into the hands of incompetent "rings" of political appointees. Possibly he felt that any contact with state officials would taint the university.

Whatever his reasons, Eliot no longer wanted to use a university as an institution to watch over and protect the state; he wanted a university that would have nothing to do with the state at all. Eliot was much more hostile to the state than the states had ever been to any college. In no uncertain terms, Charles Eliot created the American "private" university out of thin air--at least historically.

There were those who shared Eliot's views and were willing to give their money to Harvard and other universities which adopted Eliot's stance. And there were some wealthy men who founded completely new private universities such as the University of Chicago (1891) and Stanford University (1885).

Not everyone agreed with Eliot. Some men held to the old views of college and state. Andrew D. White, a Yale graduate, tried to combine

state support with the gift of a wealthy individual, Ezra Cornell, to create Cornell University (1865). Other men continued their efforts to secure public support for state universities such as Michigan and Wisconsin.

Even before Eliot's private university campaign began, the "state" men had been successful in persuading the federal government to make donations of land to the states for the support of higher education. Some hoped this would lead the states to make further grants on their own. The Land-Grant Act of 1862, sometimes called the Morrill Act, distributed federally-owned public lands to the states which would then sell the lands and give the proceeds to a university. Under the Land-Grant Act education in agricultural science and technology was to be emphasized. But grants of federal lands were still not annual appropriations; the state men had to fight harder for that. To secure new support they made a slight adjustment in the rhetoric of the old republican era to fit the new times.

If the states were not convinced that universities were the best training ground for wise legislators, they gradually came to see these institutions as reservoirs of wise bureaucrats. By the 1890's state governments needed engineers to build bridges, agriculturalists to test soils and increase crop yields, economists to compute fair premiums for fire insurance, dairymen who could test the purity of milk, and trained teachers for elementary and secondary schools. State universities established schools to train these people while retaining the liberal arts college. Once again the university would look after the state, and once more the state concluded that it must give financial support to the university as a reservoir of talent.

It should probably be added that state governors, like kings and rich

men, found that they could build monuments to themselves by appropriating money for buildings at state universities. Politicians learned that their names on buildings would support their memories longer than their signatures on reams of democratic rhetoric.

State appropriations advanced rapidly in the 1880's and 1890's; by 1900 the United States boasted a system of both privately and publicly supported universities. Each side contested that it represented the true American university and the truly democratic way of education. In this new contest it was evident that something had changed in American thinking about higher education. For more than a century before 1860 a consensus had existed on the relation between college and state--even if the reality was often less than the ideal. But after Eliot championed the "private" university and the states renewed their support for the "state" university, no such consensus remained. A split developed in educational thinking which with minor alterations has lasted to the present day.[4]

As we have seen, the development of America's dual system of higher education has been a twisting, changing, accidental story. In this story one might well wonder if any strains of continuity exist which help us in understanding university-state relations today or in seeing paths for future development. Do we know anything more than that Americans are prone to change their minds and can be swayed and persuaded by almost any theory of education as long as the theorist uses flowery rhetoric and remembers to note that his cause is democratic, republican, and anti-despotic?

Despite the bevy of changes in this history a few things have remained constant:

1) Nearly all American universities, no matter where their support

comes from, remain as autonomous institutions. None are operated as departments of government; their employees are not state officials. Only the United States Military, Naval, and Air Force Academies are government operated, degree-granting institutions. The teachers are officers of the armed services or civilians given military status.

This autonomy, even if legally guaranteed, can be limited by the degree of financial support which a university receives from a legislature or executive branch--state or federal. Increasingly in the last few years, the federal government has tried to shape universities by offering money for specific programs or by withholding funds unless certain conditions in employment or admissions are met. Still, it is the university's prerogative to refuse the funds if it does not choose to execute the program or acquiesce to the conditions. Such action has been taken by universities--both private and public.

State legislatures rarely take such an ad hoc approach. Appropriations are usually handled in an annual, systematic manner. However, state higher education co-ordinating boards do try to shape the development of institutions over a period of time by saddling them with new programs and functions which an individual campus may or may not want to undertake. A university within such a system can often protect its autonomy from this external pressure by suggesting that the board place the new programs in other existing or even entirely new institutions in the system.[5]

One should note carefully the difference in the institutional response to the state and to the federal government. At the federal level only a refusal of funds can be made; there are no federal universities to which the funds and their connected functions could be transferred. And the

existing institutions would not want to encourage the creation of such new universities; they might quickly become competitors. However, within state systems, there is an old tradition of placing different educational programs (e.g. a law school, an engineering school, etc.) in different, complementary institutions. Thus within the system a university can safely encourage new institutions for new functions without fearing potential competitive disaster.

2) A corollary to this autonomy is the fact that the university often interprets, and sometimes invents, what it thinks is the interest of the state. In fact, the "private" universities boast of the political leaders and government advisers they have produced. The university prides itself that it does not act as an instrument to carry out what the government has decided is its interest. On the other hand it does not see its role as merely a critic of the state, but more as an independent brain. Even in the act of rejecting funds, as mentioned above, the university acts not only to protect itself but to influence government policy.

3) Despite the split between public and private institutions, financial support for higher education continues to be based in both sectors on the training of leaders and good citizens rather than any inherent state or private interest in learning or the accoutrements of academic knowledge such as libraries and museums. This is particularly true in the support of undergraduate education. Private universities emphasize the leadership role, not the intellectual achievements, of their graduates in appealing for endowment funds. Leadership is also a main criterion for the support of public universities. Few state university presidents would succeed if they argued for state support on the ground that professors' pure research or the expansion of the library were the major interests of the state. When

right-wing advocates refer to students at major universities as bums, snobs, worthless or lazy (i.e. unfit to lead), educators must refute these charges immediately because they undermine the basis for any support of the university. Public and private universities, indeed, receive funds for the support of research unrelated to the instruction of students. However, it could be argued that the universities' training of acceptable leaders and citizens encourages private and public research funds to be placed here rather than in independent research institutes. Student instability might quickly cause a transfer of research money out of universities to other agencies.

4) The idea remains that neither the state nor private philanthropy should make a gift of higher education to the young; obstacles should be removed which make it financially impossible to attend college. There is a cost even to the student who attends a state university --and an increasing cost in recent years. Rarely does a state make a grant for residential accommodation. The state usually builds more universities so that a student who cannot pay for accommodation can live at home and commute. Loans are also a major item in both public and private support of students. Again the loan removes the obstacle; it does not make the education a gift. This policy stands in sharp contrast to the English local authority grant which is intended to cover full support without any future or present financial obligation to the student.

5) Finally, one of the most striking elements of continuity has been the accidental, rather than the statutory or even ideological, nature of the changes. When the states cut off their support in the 1820's, no laws or statutes were passed to confirm or entrench this; the appropriations

merely ceased. When the funds were renewed fifty years later the old autonomous institutions were not remade to conform to any new theories of education. No statutory provisions were enacted which might, for example, make the state the sole supporter of the institution. And when the "private" university emerged no corporate charter revisions were made to prohibit future state gifts. Thus the split between private and public was most pronounced in the rhetoric of university advocates rather than in statutes or ideological tracts.

This accidental shaping of higher education has continued to the present day. Both private and state universities have accepted support from the federal government in varying degrees. In some cases the institutions receiving the largest federal support have been labelled "federal grant" universities. Again the term has been championed more in the rhetoric of university presidents than by any government enactment.[6] Public universities have accepted private endowments and have even solicited voluntary contributions from individuals--again in varying degrees from institution to institution. Some state universities have even suggested that their advocates have overzealously talked about their "state" connection to win the loyalty and support of legislatures which may give only partial funding to these institutions. This is seen by some as hampering the effort to raise the remaining dollars from private sources.

The private-public distinction did not originate from dual origins but from the accidental development of a bevy of institutions which had similar origins but gradually split into different groups. No statutory legislation or central planning has yet emerged to limit or alter this accidental course of development. We can therefore expect in the future to see institutions

within each sector changing their bases of support and consequently their identity. As individual institutions change, we may well find that the groups or sectors will also change. It would be difficult to predict whether the existing public and private sectors will blur and merge together, whether each will split into sub-sectors characterized by various combinations of support, or whether new sectors, say a federal sector of institutions supported totally by the federal government, will emerge. As these potential changes will most likely be accidental, the cany observer would do best to watch the movements and informal groupings of individual institutions rather than rely on the proposals of national educational planning commissions.

Footnotes

[1] "The Campaign for Yale" (Yale University, 1974) p.8.

[2] Ibid.

[3] Unless otherwise noted the historical account which follows (pp. 6-23) is taken from John S. Whitehead, The Separation of College and State: Columbia, Dartmouth, Harvard and Yale (New Haven, 1973). Further references can be found therein.

[4] Jurgen Herbst suggests in "The Eighteenth Century Origins of the Split Between Private and Public Higher Education in the United States" History of Education Quarterly 15 (Fall 1975) that the denominational college of the late 18th and early 19th century was the model for the "private" college. Hence the split developed earlier than I suggest. However, I do not believe that a distinction between "private" and "public" existed this soon. There was no clear public sector before the Civil War, nor did the denominational college really view itself as "private" when defined as independent of the state. Some of these colleges sought public funds. The form of the denominational college, like so many others, was given to "accidental changes." Despite Herbst's suggestions, I hold that the distinction between "private" and "public" which is well understood in the 20th century developed after the Civil War, not in the late 18th century.

[5] For the best discussion of state co-ordinating boards and the attempts of individual institutions to retain autonomy within state systems, see Martin Kaplan (ed.) The Monday Morning Imagination: Report from the Boyer Workshop on State University Systems (New York, 1977).

[6] The term "federal grant university" is best explained in Clark Kerr, The Uses of the University (New York, 1963) pp. 46-84.

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